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 Cumberland Sheriff Hanna  
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 Klemm  
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IN THE COURT OF COMMON PLEAS  
 OF MONTGOMERY COUNTY COURT, PENNSYLVANIA

JORI BRITT,

*Plaintiff,*

v.

PENNSYLVANIA DEPARTMENT OF CORRECTIONS;  
 SECRETARY GEORGE E. LITTLE;  
 DTS REV. ULLI KLEMM RELIGIOUS SERVICE-  
 ADMINISTRATOR;  
 Sued in Thier Individual and Official Capacities.

*Defendants.*

CIVIL NO.

Montgomery Co Prothonotary  
 JUL 3 '23 PM 1:46

**JURY DEMAND**

**COMPLAINT**

**I. PRELIMINARY STATEMENT**

1. Plaintiff Jori Brit, pro se, brings this action pursuant to 42 U.S.C. § 1983 for violations of his rights pursuant to The Religious Land Use and Institutionalized Person Act, Title VI of the Civil Rights Act of 1964, 42 U.S.C.S. § 2000d-1 et seq., The First, Fourth, Fourteenth Amendments of The United States Constitution, and The Pennsylvania Constitution Article 1 Section 3, seeking Enforcement of Settlement Agreement/Federal Court Order monetary, compensatory, declaratory, punitive damages, sanctions, & injunctive relief.

**II. JURISDICTION & VENUE**

2. This Court has jurisdiction pursuant to 42 Pa. C.S. §931(a).

3. Montgomery Coury is an appropriate venue pursuant Pa.R.Civ. 1006(a)(i) and/or 42 C.S. §8523(a) and is proper because Montgomery County is where the events giving arise to Plaintiff's claims arose in this County.

### **III. PARTIES**

4. Plaintiff Jori Britt, he is an Inmate currently confined at Pennsylvania State Correctional Institution Phoenix ("SCI") Phoenix, located at 1200 Mokychic Dirve, P.O. Box 246, Collegeville, PA 19426.

5. Defendant George M. Little, is the Secretary of Pennsylvania Department of Correction, located at 1920 Technology Parkway, Mechanicsburg, PA 17050. He is responsible for the promulgation, and enforcement of all PA-DOC policies. Plaintiff sued Mr. Little in his individual and official capacity.

6. Defendant Rev. Ulli Klemm, is the Religious Service Administrator/DTS of Pennsylvania Department of Correction, located at 1920 Technology Parkway, Mechanicsburg, PA 17050. He is responsible for the promulgation, and enforcement of all PA-DOC Religious Services and policies. Plaintiff sues Mr. Klemm in his individual and official capacity.

7. Each Defendant acted under the color of State Law, and all material times, were responsible for the care, custody, and control of Plaintiff's physical safety and religious freedom protections.

8. Paragraph 1-7 are being incorporated by reference as the same set forth as length herein.

### **IV. FACTUAL ALLEGATIONS**

9. Plaintiff has been incarcerated within the PA-DOC institution since 2012, and has practiced the Islamic religion in accordance to the Quran & Sunnah and follows the teaching of Prophet Muhammad before commitment into the PA-DOC and while in custody within the PA-DOC.

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10. Defendant Pennsylvania Department of Corrections (hereinafter PA-DOC) PA-DOC due to its discriminatory history and unlawful treatment toward the Muslims in their custody dating as far back as the 1980's, the Muslim Inmates at PA-DOC ("SCI") Greaterford filed a Class Action Law Suit No. 79-3699 against Defendants' PA-DOC for not being afforded the rights to freely exercise and/or practice their religion in the PA-DOC Institutions statewide.

11. Among many of the religious freedoms not recognize by the PA-DOC was the religious Ceremonial practice known as the (Eid), which are ceremonies held at the end of Ramadan, ("Eid ul-Fitr & Eid Adhal").

12. The religious ceremonial Eid Feast is in accordance with the Noble Quran, the Sunnah, and the teachings of Prophet Muhammad which consist of (Halal-Meat) meats/animals slaughtered/sacrificed in the Name of Allah.

13. During a 1983, Class Action Hearing filed against Defendant PA-DOC, Defendant PA-DOC intered into an agreement to permit among other things the Muslim Community to have at the end of Ramadan, ("Eid ul Fite & Eid Adhal") Feast for over fourty (40) years. (See: attached Class Action No. 79-3699 Law Suit Agreement & Court as Exhibit A).

14. On October 4, 2021, Defendants' PA-DOC, Little, and Klemm released memorandum to all PA-DOC Institutions issuing and (out-right-ban) on the Muslim Community from any longer being allowed to have a Eid and/or ceremonial meats for their religious feast, known as the Eid Feast. (See: attached Memorandum dated October 4, 2021 signed by Defendant George M. Little as Exhibit B).

15. The meats required & purchased for both Eid-Feast was accomlished by each individual Muslim paying a determined set price according to the pricing of the approved vender.

16. Defendants' PA-DOC within its October 4, 2021, memorandum/new PA-DOC

policy change has placed a substantial burden on Plaintiff's sincerely held religious beliefs & practice by placing an (out-right-ban) not allowing Halal-Meats to be purchased for the Islamic ceremonial Eid-Feast, as it once did allow for over the last forty (40) years and agreed to do within the Class Action Law Suit Agreement & Court Order No. 79-3699.

17. Defendants' PA-DOC for no penological interest has placed an (out-right-ban) on Eid-Feast while allowing meats and/or feast to be held and meats/foods purchased for other religions and their ceremonial festivities utilizing PA-DOC funds to do so.

18. Defendants' PA-DOC allows feasts & purchases foods/meats for other similarly situated religious groups & their religious ceremonial festivities such as the Christian Community purchasing food/meats for the Christmas meal, Communion-Bread & Juice, and Thanks Giving Day meals.

19. Further, the Defendants' also permits ceremonial foods/meats on and within its PA-DOC Institutions for (Employee Appreciation Day) which is held with outside food/meats being purchased, cooked on BBQ-Grills and distributed to the staff for unreligious reasons other than traditional ceremony, also where SCI-Phoenix staff are permitted to purchase food/meats from a (Food-Truck) permitted on the property to serve food/meats which is also done without religious reasoning. Also Defendants PA-DOC host a 4th of July Meal, Memorial Days Meal, and Veterans Day Meal at SCI-Phoenix. (See: attached SCI-Phoenix Weekly Food Menus dated Nov. 27, 2022 & Dec. 25, as Exhibits C-1 thru C-2).

20. Moreover Defendants' PA-DOC, Klemm, and Little continues to display discriminatory treatment towards other religious groups such as the Jewish Community. All Defendants provided and/or authorized the Jewish Community and religious accommodation in the form of (Boxes of Matzah) for their religious ceremonial while denying and/or not offering

the Islamic Community any accommodations for their religious ceremony. (See attached PA-DOC DC-135 Inmate Request Slip issued at SCI-Phoenix for the year of 2023 as Exhibit D).

21. The Jewish Community for its religious holiday was not forced to eat the meal of the day/food prepared by SCI-Phoenix that is provided to all inmates. However, the Jewish Community was accommodated with a meal that coincided with the Jewish religion, and reframed from naming their religious ceremony meal a (fellowship meal) while denying the Islamic Community the same accommodations.

22. Defendants PA-DOC have a policy in place which fosters excessive government entanglement with religion & its principal or primary effect is to advance or inhibit religion. Defendants' force and/or use coercion when providing religious meal/ceremony festivities meals on Christian religious holidays.

23. During the Christian religious holidays one being the Christmas ceremony festivities/Christmas meal at SCI-Phoenix, the institution calls an early count at 10:00 A.M. instead of counting at 12:30 P.M. the normal institutional operational counting time. This is done so count can clear at 12:00 P.M. instead of 1:00 P.M. which is the normal institutional operational time. This is done to accommodate the unusual increased number of inmates going to the dining halls.

24. As a direct result non-Christians are deprived of normal institutional operational feeding times for lunch with a start time at 10:45 A.M. and are deprived of one (1) hour recreational time due to the early count and forced to wait until after 12:00 P.M. once the housing unit is called to receive their institutional meal.

25. As a foreseeable and predictable result, if an inmate does not or can not eat the Christmas meal for religious reasons or non-religious reasons the alternative meal is not what

would have been served on that day had it not been for the Christmas meal, inmates who are non-Christians are giving no other choice other than to participate in the Christmas meal which forces inmates to participate in some form also stand in unusual long lines to receive the lunch for that day. Which has been replaced with a religious meal, the Christmas meal.

26. As a foreseeable and predictable result, Inmates who work in the SCI-Phoenix/PA-DOC kitchens are forced to participate in the preparation & serving of the Christmas meal, failure to prepare the Christmas meal results in failure to report to work and/or failure to follow a direct order even if the inmate has a religious reason for not being permitted to prepare a religious meal outside of his religious belief. The PA-DOC out the PA-DOC/SCI-Phoenix funds order meats & other foods to cocomplish hosting the Christmas meal.

27. Additionally, SCI-Pheonix/PA-DOC staff are pulled off their assigned post to accommodate the operational task involved with hosting the Christmas meal held on the 25th of every December consistent with the Christian teaching, religion, and belief.

28. Moreover, normal PA-DOC/SCI-Phoenix institutional operational are effected due to hosting the yearly Christmas meal, and where SCI-Phoenix earily count at 10:00 A.M. instead of normal count time at 12:30 P.M. Inmates are deprived of 45 minutines or more of rec-time provided any other day. Inmates who have visits on this day who families doesn't make it in the PA-DOC/SCI-Phoenix institution before this Christmas meal earily count is not only deprived of normal visiting time, but no one is giving notice of this (in-house) institutional policy before hand.

29. As a foreseeable and predictable result, inmates family members are blind-sided and leave without receiving a visit. All of these accommodations are giving to one religious group the Christian community, while depriving the Plaintiff of a Eid Feast something that has

been in place for the last forty (40) years. Defendants have not cited to and/or demonstrated that an (out-right-ban) on the Islamic religious Eid Feast is the least restrictive/intrusive means available, while providing the Christian community with a Feast as stated above.

30. As a foreseeable and predictable result, of the (out-right-ban) on the Eid-Feasts, Plaintiff is substantially burdened by not being afforded the same religious freedom, exercise, and/or accommodations the PA-DOC provides other similarly situated individuals within its custody, violating Plaintiff's protected rights pursuant to The Religious Land Use and Institutionalized Person Act, Title VI of the Civil Rights Act of 1964, 42 U.S.C.S. § 2000d-1 et seq., The First and Fourteenth Amendments of The United States Constitution, and The Pennsylvania Constitution Article 1 Section 3.

31. As a foreseeable and predictable result, Plaintiff is substantially burdened by Defendants' PA-DOC re-naming plaintiff's religious ceremony from (Eid) to Fellowship Meal while not re-naming the Christian's religious ceremony from Christmas to something other than Christmas, or the Jewish religious ceremony from Passover to something other than Passover violating Plaintiff's protected rights pursuant to The Religious Land Use and Institutionalized Person Act, Title VI of the Civil Rights Act of 1964, 42 U.S.C.S. § 2000d-1 et seq., The First and Fourteenth Amendments of The United States Constitution, and The Pennsylvania Constitution Article 1 Section 3.

32. As a foreseeable and predictable result, Defendants' PA-DOC has removed any and all language from PA-DOC policy DC ADM-819 pertaining to the (Eid-Feast), while keeping in place and recognizing the Christian & Jewish religious Holy Names for religious ceremonies violating Plaintiff's protected rights pursuant to The Religious Land Use and Institutionalized Person Act, Title VI of the Civil Rights Act of 1964, 42 U.S.C.S. § 2000d-1 et

seq, The First and Fourteenth Amendments of The United States Constitution, and The Pennsylvania Constitution Article 1 Section 3.

33. As a foreseeable and predictable result, Defendants' PA-DOC has substantially restricted Plaintiff from fully exercising his religious belief by partaking in the (Eid-Feast) as he once did for over the last decade, and has been deprived the religious exercise that has been in place within the PA-DOC for over the last forty (40) years violating Plaintiff's protected rights pursuant to The Religious Land Use and Institutionalized Person Act, Title VI of the Civil Rights Act of 1964, 42 U.S.C.S. § 2000d-1 et seq, The First and Fourteenth Amendments of The United States Constitution, and The Pennsylvania Constitution Article 1 Section 3.

34. On November 10, 2022, Plaintiff submitted an PA-DOC DC ADM-819 Inmate Religious Accommodation Form requesting the approval to personally possess and maintain religious blessed scented-oil in his cell for prayer. (See: attached PA-DOC DC ADM-819 Inmate Religious Accommodation Form, signed by Plaintiff and submitted at SCI-Phoenix/PA-DOC as Exhibit E).

35. On Feb. 27, 2023, Plaintiff received the denial to his religious request from Defendants' PA-DOC, Little, and Klemm. (See: attached denial dated Feb. 24, 2023 signed by Defendant Klemm as Exhibit F).

36. Plaintiff pursuant to his religion is required to pray five (5) daily prayers which is mandated by the Quran, Sunnah, and Prophet Muhammad. Throughout a week Plaintiff prays (35) times a week and out of the week he is only provided with religious blessed scented oil for prayer at Friday's Religious services (Jumu'ah) a religious services for the Muslims.

37. Defendants' PA-DOC, Little, & Klemm authorize the blessed scented oil to be provided to Muslims for prayer only on Friday's & remained stored within the Chaplain's office



at SCI-Phoenix. Defendants' PA-DOC, Little, & Klemm allows religious scented oil into the PA-DOC, however placing an (out-right-ban) on Plaintiff from maintaining his own blessed scented oil in his cell for prayer.

38. Defendants' PA-DOC, Little, & Klemm has a substantial burdensome policy DC ADM-819 Section (3)(c) in place restricting plaintiff from freely exercising his religious beliefs by placing an (out-right-ban) on plaintiff from receiving religious blessed scented oil. Following the Quran, Sunnah, and Prophet Muhammad having blessed scented on the body for prayer is something Plaintiff is only provided for one prayer out of 35 prayers a week.

39. Defendants' PA-DOC, Little & Klemm states granting Plaintiff's religious accommodation request for blessed scented oil would cause a security risk such as "A Fire hazard, could be used to mask the smell of illegal substances, ingested or used as a weapon . . . further, that Plaintiff could buy scented soaps, body wash, lotions, powders, scented deodorants, and aftershave." As a replacement for religious blessed scented oil.

40. Defendants' PA-DOC, Little, & Klemm finds no security risk in providing other non-religious scented items sold on commissary that can also be "A fire hazard" and used in the same ways stated above, but for a non proven justifiable reason for denying Plaintiff's religious accommodation request. Only determines blessed scented muslim oil to be a hazard.

41. Defendants' PA-DOC, Little, & Klemm have no justifiable reason for denying Plaintiff's religious accommodation request, Defendants have in place and maintains an (out-right-ban) on religious blessed scented oil found in PA-DOC DC ADM-819 policy.

42. On an excessive amount of occasions outside of Plaintiff's control when Defendants PA-DOC or SCI-Phoenix Administrators cancels Islamic Friday prayer (Jumu'ah) services, Plaintiff is totally deprived of being provided with blessed scented oil for his Friday

(Jumu'ah) prayer. Therefore, Plaintiff is deprived of having blessed scented oil for Friday (Jumu'ah) prayer, and/or when the approved handler task with administering the blessed scented oil at Friday (Jumu'ah) service is unavailable to provide the blessed scented oil plaintiff is deprived of blessed scented oil for Friday (Jumu'ah) prayer which accrues without notice and often.

43. During a past two (2) year lockdown at SCI-Phoenix due to covid-19, Plaintiff was deprived of gaining any access to blessed scented oil, and was made to prayer Friday (Jumu'ah) prayer in his cell without it.

44. Plaintiff as a Muslim follows the teaching of Prophet Muhammad, who after a bath scented his body with scented oil including in his hair for his daily prayers including Friday prayers (Jumu'ah).

45. Due to this practice of Prophet Muhamman using blessed scented oil before his five (5) daily prayers, Defendant PA-DOC approves blessed scented oil to enter PA-DOC's and given out to Muslims for Friday prayer (Jumu'ah), but only for one prayer out of (35) weekly prayers.

46. In part, Defendants' PA-DOC, Little, & Klemm recongnize the religious significances of the Muslim practice to have blessed scented oil for prayer, but only permits Plaintiff access to it for one prayer out of (35) weekly prayers. Therefore, depriving Plaintiff of (34) weekly prayers without blessed scented oil to stand before his Lord in prayer.

47. When the Plaintiff made Defendants' PA-DOC, Little, & Klemm aware that Plaintiff was being deprived of blessed scented oil for his prayers, though the PA-DOC DC ADM-819 Religious Accommodations Request Form, grievance system & grievances & appeals, all Defendants' failed to correct the problem despite having the power to do so.

48. At this point, Defendants' PA-DOC, Little, & Klemm was made aware that its (out-right-ban) policy DC ADM-819 (3)(c) which prohibits Plaintiff from possessing blessed scented oil in his cell for paryer was a substantially burden on Plaintiff's religious practice, all Defendants' intentionally ignored and failed to correct the problem despite having the knowledge and power to correct the problem/policy.

49. Defendant Klemm was specifically task with the handling of Plaintiff's PA-DOC Religious Accommodation Request requesting the approval to possess blessed scented oil in his cell. (See also Exhibit E).

50. On Feb. 27, 2023, Plaintiff received the Defendants' Klemm's denial to Plaintiff's religious accommodation request. (See also Exhibit F).

51. When Plaintiff made Defendant Klemm aware that Plaintiff was being deprived blessed scented oil and that doing so was violation of Plaintiff's protected rights through the PA-DOC DC ADM-819 Religious Accommodation From, the grievance system, and grievances & appeals, Defendant Klemm failed to correct the problem despite having the knowledge and power to correct and/grant plaintiff religious accommodation request.

52. At this point, Defendant Klemm had direct involvement in the handling of Plaintiff's religious accommodation request which he denied.

53. On Novemebr 10, 2022, Defendant Little was the Seccetary of PA-DOC and was responisble for the care, custody and control of plaintiff's religious safety.

54. Defendant Little authorized, approved and/or maintained a discrminatory PA-DOC policy, custom, and practice through PA-DOC DC ADM-819 Section (3)(c) which placed and (out-right-ban) blessed scented oil, prohibiting Plaintiff from possess blessed scented oil in his cell for prayer.

55. At all times relevant to this complaint, Plaintiff made Defendant Little aware the fact plaintiff was being denied a religious accommodation in the form of blessed scented oil and that PA-DOC DC ADM-819 Section (3)(c) was in violation of plaintiff's protected rights, but Defendant Little failed to correct the problem.

56. When Plaintiff made Defendant Little aware he was being deprived of blessed scented oil and that doing so was violation of Plaintiff's protected rights through the PA-DOC DC ADM-819 Religious Accommodation From, the grievance system, and grievances & appeals, Defendant Little failed to correct the problem despite having the knowledge and power to correct and/grant plaintiff religious accommodation request.

57. At this point, Defendant Little had direct administrative involvement in the handling of Plaintiff's religious accommodation request which he denied, and despite knowledge of PA-DOC DC ADM-819 Section (3)(c), Defendant Little failed to correct the problem depriving plaintiff of practicing his religion fully.

58. As a foreseeable and predictable result, on the part of Defendants' PA-DOC, Little, Klemm, & PA-DOC DC ADM-819 Section (3)(c) (out-right-ban) policy on religious scented oil, Plaintiff is substantially burden and restricted from using religious scented oil for (34) of the prayers prayed weekly and by not being afforded the right to practice his religion freedly. Defendants' PA-DOC, Little, and Klemm have violated Plaintiff's protected rights pursuant to The Religious Land Use and Institutionalized Person Act, Title VI of the Civil Rights Act of 1964, 42 U.S.C.S. § 2000d-1 et seq, The First and Fourteenth Amendments of The United States Constitution, and The Pennsylvania Constitution Article 1 Section 3.

59. As a foreseeable and predictable result, on the part of Defendants' PA-DOC, Little, & Klemm, Plaintiff has been substanitally burdened by all Defendant only providing

plaintiff with religious blessed scented oil once a week at religious services (Jumu'ah) violating Plaintiff's protected rights pursuant to The Religious Land Use and Institutionalized Person Act, Title VI of the Civil Rights Act of 1964, 42 U.S.C.S. § 2000d-1 et seq, The First and Fourteenth Amendments of The United States Constitution, and The Pennsylvania Constitution Article 1 Section 3.

60. As a foreseeable and predictable result, on the part of Defendants' PA-DOC, Little, and Klemm Plaintiff has been substantially restricted from fully exercising his religious beliefs by citing unjustified security risk to maintain an (out-right-ban) on blessed scented oil in violation of Plaintiff's protected rights pursuant to The Religious Land Use and Institutionalized Person Act, Title VI of the Civil Rights Act of 1964, 42 U.S.C.S. § 2000d-1 et seq, The First and Fourteenth Amendments of The United States Constitution, and The Pennsylvania Constitution Article 1 Section 3.

61. In November of 2022, Plaintiff submitted an PA-DOC DC ADM-819 Inmate Religious Accommodation Form requesting the approval for a see-through shower curtain with opaque view. (See: attached PA-DOC DC ADM-819 Inmate Religious Accommodation Form, signed by Plaintiff and submitted at SCI-Phoenix/PA-DOC as Exhibit G).

62. On Feb. 27, 2023, Plaintiff received the denial to his religious request from Defendants' PA-DOC, Little, & Klemm. (See: attached response denial dated 2/24/2023 as Exhibit H).

63. Pursuant to The Quran, the Sunnah, and the teaching of Prophet Muhammad Plaintiff's is prohibited from being seen by men/women unclothed while showering or during any other time.

64. Defendants' PA-DOC, Little, Klemm maintain a discriminatory policy, practice,

and/or custody in place via PA-DOC ADM-008 Section (J) which provides in relevant part: "Special accommodations . . . In this policy inmates housed in the same SCI-Phoenix institution are provided opportunity to shower separately and privately away from other inmates and staff, with adjusted shower times to ensure these accommodations. (See: attached PA-DOC DC ADM-008 Policy as Exhibit I).

65. Defendants' PA-DOC, Little, & Klemm has a substantial burdensome policy DC ADM-819 Section (J) in place restricting plaintiff from freely exercising his religious beliefs by denying Plaintiff's request to shower in private like other similarly situated inmate in the same SCI-Phoenix where Plaintiff is housed.

66. Defendants' PA-DOC, Little & Klemm states for reasons denying Plaintiff's religious accommodation request for a see-through shower curtain with a opaque view are as follows in relevant part: "Privacy can easily be accomplished by Plaintiff wearing his boxers or placing a towel around his private areas while showering . . . can also cover his chest and back with his towel . . . on the housing unit Plaintiff is housed each shower is separated by partial and half-door provides an additional level of privacy . . . for the safety of inmates, officers and staff need to be able to view all inmates at all time, which they are able to do without seeing private areas . . . the Prison Rape Elimination Act (PREA) of 2003 mandates that transgender and intersex inmates be given the opportunity to shower separately and privately from other inmates." (See: also Exhibit H)

67. Defendants' PA-DOC, Little, & Klemm finds no security risk in providing other similarly situated inmates for non-religious reasons, but a personal preference "That transgender and intersex inmates be given the opportunity to shower separately and privately from other inmates" while these same inmates, other inmates, and staff are provided the opportunity to view

Plaintiff while he showers.

68. Defendants' PA-DOC, Little, & Klemm have no justifiable reason for denying Plaintiff's religious accommodation request, all Defendants have in place and maintains a discriminatory policy required in PA-DOC DC ADM-008 Section (J) policy. Plaintiff requested for religious reasons something the SCI-Phoenix already provides on other housing units at SCI-Phoenix where Plaintiff is housed.

69. SCI-Phoenix provides non-see-through shower curtains without a opaque view at SCI-Phoenix on housing (Units-A) (Units-B) (Units-M) & (Units-Q).

70. Defendants PA-DOC, Little, & Klemm maintains a discriminatory policy required in PA-DOC DC ADM-008 Section (J) policy due to inmates and staff being able to view ("any") inmate/inmates while showering. Defendants PA-DOC, Little, & Klemm didn't inform transgender and intersex inmates "Privacy can easily be accomplished by Plaintiff wearing his boxers or placing a towel around his private areas while showering . . . can also cover his chest and back with his towel . . . on the housing unit Plaintiff is housed each shower is separated by partial and half-door provides and additional level of privacy . . . for the safety of inmates, officers and staff need to be able to view all inmates at all time, which they are able to do without seeing private areas . . . the Prison Rape Elimination Act (PREA) of 2003 mandates that transgender and intersex inmates be " as they informed Plaintiff to do. (See also Exhibit H).

71. On an excessive numbers of occassions outside of Plaintiff's control Plaintiff is totally deprived of being provided with the same protection afforded to similarly situated inmates housed at SCI-Phoenix to shower without being viewed by staff and inmates. Even with "each shower being separated by partial and half-door provides and additional level of privacy" as Defendants PA-DOC stated, Plaintiff is still seen and remians able to be seen while he showers.

72. For these reasons, Defendants provided Special accommodations required in PA-DOC DC ADM-008 Section (J) protections to one group of similarly situated inmates for non-religious reasons, but denied Plaintiff's reasonable religious request for something PA-DOC/SCI-Phoenix already provides at SCI-Phoenix on housing (Units-A) (Units-B) (Units-M) & (Units-Q), Therefore, depriving Plaintiff of a reasonable religious accommodation in the form of a see-through shower curtain with a opaque view. Which would still provide staff with enough vision, while providing and opaque view.

73. When Plaintiff made Defendants' PA-DOC, Little & Klemm aware of that Plaintiff was being deprived the same protection afforded to similarly situated inmates housed at SCI-Phoenix to shower without being viewed by staff and inmates, through the PA-DOC DC ADM-819 Religious Accommodations Request Form, grievance system & grievances & appeals, all Defendants' failed to correct the problem despite having the power to do so.

74. At this point, Defendants' PA-DOC Little & Kleem was made aware that its policy DC ADM-008 Section (J) which prohibits Plaintiff the same protection as similarly situated inmates was a substantially burden on Plaintiff's religious practice, all Defendants' intentionally ignored and failed to correct the problem despite having the knowledge and power to correct the problem/policy.

75. Defendant Klemm was specifically task with the handling of Plaintiff's PA-DOC DC ADM-819 Religious Accommodation Request Form requesting the approval a see-through shower curtain. (See also Exhibit G).

76. On Feb. 27, 2023, Plaintiff received the Defendant Klemm's denial to Plaintiff's religious accommodation request. (See also Exhibit H).

77. When Plaintiff made Defendant Klemm aware that Plaintiff was being deprived of



the same protected rights as similarly situated inmates through the PA-DOC DC ADM-819 Religious Accommodation Form, the grievance system, and grievances & appeals, Defendant Klemm failed to correct the problem despite having the knowledge and power to correct and/grant plaintiff religious accommodation request.

78. At this point, Defendant Klemm had direct involvement in the handling of Plaintiff's religious accommodation request which he denied.

79. On November 10, 2022, Defendant Little was the Secretary of PA-DOC and was responsible for the care, custody and control of plaintiff's religious safety.

80. Defendant PA-DOC, Little, and Klemm authorized, approved, and/or maintained a discriminatory PA-DOC policy, custom, and practice through PA-DOC DC ADM-008 Section (J) which restricts plaintiff from freely exercising his religious beliefs by denying Plaintiff's request to shower in private like other similarly situated inmate in the same SCI-Phoenix where Plaintiff is housed.

81. At all times relevant to this complaint, Plaintiff made Defendants' PA-DOC, Little, and Klemm aware the fact plaintiff was being denied a religious accommodation in the form of see-through shower curtain with opaque view and that PA-DOC DC ADM-008 Section (J) was in violation of plaintiff's protected rights, but Defendants PA-DOC & Little failed to correct the problem.

82. When Plaintiff made Defendant PA-DOC & Little aware he was being deprived of the same protections afforded to other similarly situated inmates at SCI-Phoenix and that doing so was in violation of Plaintiff's protected rights through the PA-DOC DC ADM-819 Religious Accommodation Form, the grievance system, and grievances & appeals, Defendants' PA-DOC, Little, and Klemm failed to correct the problem despite having the knowledge and power to

correct and/grant plaintiff religious accommodation request.

83. At this point, Defendants' PA-DOC, Little, and Klemm had direct administrative involvement in the handling of Plaintiff's religious accommodation request which they denied, and despite knowledge of PA-DOC DC ADM-008 Section (J), Defendant PA-DOC, Little, and Klemm failed to correct the problem depriving plaintiff of practicing his religion fully.

84. As a foreseeable and predictable result, on the part of Defendants' PA-DOC, Little, & Little PA-DOC DC ADM-008 Section (J) policy Plaintiff is substantially burden and restricted from using a see-through shower curtain a opaque view for religious reasons by not being afforded the right to practice his religion freedly. Defendants' PA-DOC, Little, Klemm violated Plaintiff's protected rights pursuant to The Religious Land Use and Institutionalized Person Act, Title VI of the Civil Rights Act of 1964, 42 U.S.C.S. § 2000d-1 et seq, The Fourth, First, and Fourteenth Amendments of The United States Constitution, and The Pennsylvania Constitution Article 1 Section 3.

85. As a foreseeable and predictable result, on the part of Defendants' PA-DOC, Little, & Klemm Plaintiff has been substanitally burden by all Defendants only providing similarly situated inmates with protection while they shower and not providing Plaintiff with the equal protection in violation of Plaintiff's protected rights pursuant to The Religious Land Use and Institutionalized Person Act, Title VI of the Civil Rights Act of 1964, 42 U.S.C.S. § 2000d-1 et seq, The First, Fourth, and Fourteenth Amendments of The United States Constitution, and The Pennsylvania Constitution Article 1 Section 3.

86. As a foreseeable and predictable result, on the part of Defendants PA-DOC, Little, & Klemm has substantially restricted Plaintiff from fully exerising his religious believes by citing unjustified security risk to maintain and deny planitiff any religious privacy to shower subjecting

plaintiff to be view naked by man/woman staff, transgender and intersex inmates who are giving times to shower in privacy who are "giving the opportunity to shower separately and privately from other inmates.", the inmates who have sexual relationships with the transgender and intersex inmates, and other inmates subjecting Plaintiff to cruel and unusual punishment in violation of Plaintiff's protected rights pursuant to The Religious Land Use and Institutionalized Person Act, Title VI of the Civil Rights Act of 1964, 42 U.S.C.S. § 2000d-1 et seq, The First, Fourth, and Fourteenth Amendments of The United States Constitution, and The Pennsylvania Constitution Article 1 Section 3.

87. On Oct. 8, 2022 Defendants PA-DOC, Little, and Klemm were aware of a discriminatory policy, practice, and custody when Plaintiff was denied access to a religious headscarf items afforded to other similiary situated inmates for religiouise and non-religious reasons.

88. On or about the milddle of Sepember of 2022, Defendants' PA-DOC, Little, and Klemm directed, approved, and/or authorized SCI-Phoenix ("DSCS") Mandy Sipple released a Memo approving all inmates within SCI-Phoenix to wear headscarfs within the institution. PA-DOC & SCI-Phoenix already approves other religious groups the Jewish community to purchase religious headscarfs of their religion. (See: attached Memo Signed by Mandy Sipple as Exhibit J).

89. On Oct. 8, 2022, Plaintiff submitted an PA-DOC DC ADM-819 PA-DOC DC ADM Outside Purchase Form addressed to approved vender (Al-Mainar Books/Islamic Fashion) for two religious headscarf totalling \$ 16. 00 which was deducted off Plaintiff's inmate account. And on Oct. 18, 2022, Plaintiff's same Outside Purchase Form was approved for the religious headscarfs. (See: attached Outside Purchase Form singed by Plaintiff and dated Nov. 13, 2022, as

Exhibit K).

90. (Al-Mainar Books/Islamic Fashion) is and approved vender by PA-DOC. (See: attached PA-DOC approval for (Al-Mainar Books/Islamic Fashion) as Exhibit L).

91. Due to Plaintiff not receiving the religious headscarfs that was approved to order by SCI-Phoenix, Plaintiff had his family member contact the approved vender (Al-Mainar Books/Islamic Fashion).

92. Plaintiff was informed by his family member after contacting the approved vender (Al-Mainar Books/Islamic Fashion), that SCI-Phoenix contacted the store and informed the store "not to send any more headscarfs to SCI-Phoenix." Upon Plaintiff learning of this information he filed a grievance (1014424).

93. Defendants' PA-DOC, Little, & Klemm maintains a discriminatory policy, practice, and custody in place PA-DOC ADM-819 which deprives Plaintiff of a religious item it provides to other inmates who do not believe/follow and/or practice the Islamic faith and/or its teachings.

94. Defendants' PA-DOC approves other inmates who are similarly situated at same SCI-Phoenix to purchase headscarf and religious headscarfs through the PA-DOC commissary and through and outside purchase without first submitted an PA-DOC DC ADM-819 Religious Accommodation Form.

95. When Plaintiff made Defendants' PA-DOC, Little, & Klemm aware that Plaintiff was being deprived of the same protected rights as similarly situated inmates through the grievance system, and grievances & appeals, all Defendants' failed to correct the problem despite having the knowledge and power to correct and/grant plaintiff religious accommodation request.

96. When Plaintiff made Defendants' PA-DOC, Little, and Klemm aware that Plaintiff

was being deprived of the same protected rights as similarly situated inmates and discriminated against through the grievance system, and grievances & appeals, Defendant PA-DOC & Little failed to correct the problem despite having the knowledge and power to correct and/grant plaintiff religious accommodation request.

97. Defendants' PA-DOC, Little, and Klemm authorized, approved, and/or maintains a discriminatory PA-DOC policy, custom, and practice through PA-DOC policy which restricted plaintiff from freely exercising his religious beliefs by denying Plaintiff's approved outside purchase for a religious headscarf as afforded to other inmates at same SCI-Phoenix where Plaintiff is housed.

98. At this point, Defendant's PA-DOC, Little, & Klemm had direct administrative involvement in the handling of Plaintiff's approved outside purchase for a religious headscarf as afforded to other inmates at same SCI-Phoenix where Plaintiff is housed, but denied Plaintiff's approved outside purchase for a religious headscarf/religious item, and despite knowledge of the issue Defendants' PA-DOC, Little, & Klemm failed to correct the problem depriving plaintiff of practicing his religion fully.

99. As a foreseeable and predictable result, on the part of Defendants' Little & PA-DOC DC policy Plaintiff has been substantially burden and restricted from gaining access to the same religious items/headscarfs which are approved and afforded to similarly situated inmates for non-religious reasons, but denying Plaintiff and not affording Plaintiff the same rights to practice his religion freely. Defendants' PA-DOC & Little has violated Plaintiff's protected rights pursuant to The Religious Land Use and Institutionalized Person Act, Title VI of the Civil Rights Act of 1964, 42 U.S.C.S. § 2000d-1 et seq, The First, and Fourteenth Amendments of The United States Constitution, and The Pennsylvania Constitution Article 1 Section 3.

United States Constitution, and The Pennsylvania Constitution Article 1 Section 3.

100. As a foreseeable and predictable result, on the part of Defendants PA-DOC, Little, & Klemm Plaintiff has been substantially burden by Defendants' PA-DOC & Little only providing similarly situated inmates with the ability and/or rights to purchase religious items/headscarfs that are not apart of their religion while not providing Plaintiff with the equal protection in violation of Plaintiff's protected rights pursuant to The Religious Land Use and Institutionalized Person Act, Title VI of the Civil Rights Act of 1964, 42 U.S.C.S. § 2000d-1 et seq, The First and Fourteenth Amendments of The United States Constitution, and The Pennsylvania Constitution Article 1 Section 3.

101. As a foreseeable and predictable result, on the part of Defendants' PA-DOC & Little has substantially restricted Plaintiff from fully exerising his religious believes and can not cite any justifiable security risk to maintain, but denied planitiff the same religious treatment it provides to other similarly situated inmates in violation of Plaintiff's protected rights pursuant to The Religious Land Use and Institutionalized Person Act, Title VI of the Civil Rights Act of 1964, 42 U.S.C.S. § 2000d-1 et seq, The First and Fourteenth Amendments of The United States Constitution, and The Pennsylvania Constitution Article 1 Section 3.

102. Plaintiff has exhausted his administrative remedies for all clalims, Defendants' PA-DOC receives federal funding from the United States Department of Hosuing & Urban Development, and Upon information and belief, SCI-Phoenix, in which plaintiff is incarcerated, was and is funded in part by this federal funding.

**COUNT I**

**THE RELIGIOUS LAND USE & INSTITUTIONALIZED PERSON ACT**

**INFINGEMENT & RELIGIOUS DISCIMINATION CLAIM AGAINST**

**PA-DOC, LITTLE & KLEMM IN VIOLATION OF**

103. Paragraph 1-102 are being incorporated by reference as the same set forth fully at length herein.

104. The failure of Defendants PA-DOC, Little, and Klemm through their implementation, promulgation, and/or enforcement of the PA-DOC policy have deprived plaintiff's of religious freedoms to ensure the provisions constitutionally required to freely exercise religion set forth fully in the complaint demonstrates and infingement on plaintiff's religious practice and are in direct violation of religious rights recognised within a 1983 Class Action Settlement attached to this Complaint and deliberate indifference towards plaintiff's equal protection to the failure of their subordinates to provide him with constitutionally required protections where Plaintiff was discriminated against in violation of his rights under The Religious Land Use and Institutionalized Person Act, Title VI of the Civil Rights Act of 1964, 42 U.S.C.S. § 2000d-1 et seq, The First & Fourteenth Amendments of The United States Constitution, and The Pennsylvania Constitution Article Section 3, the conduct of the individual Defendants was outrageous, malicious, wanton, wilful, reckless, and intentionally designed to inflict harm upon Plaintiff; Defendants PA-DOC is being sued for equitable relief.

**WHEREFORE**, Plaintiff respectfully prays that this Honorable Court grant the following relief:

1. A declaration by the Court that:

(a). Defendants PA-DOC are and/or violated the entered Settlement Agreement &

Federal Court order to allow Muslims confined with it's PA-DOC's to have Eids at the end of Ramadan where meats purchased for the feast/Eids;

- (b). Plaintiff has not received equal treatment for his religious beliefs as other similarly situated inmates of a different believe system such as the Chistian and Jewish Communités;
- (c). Provisions set forth in PA-DOC DC ADM-815 is discriminatory where it makes no mention of the Islamic religion pertaining to the Eid Feast and other Islamic services;
- (d). As long as plaintiff is deprived of his religious practice to have Halal Meats/Eid as once was afforded by Defendants PA-DOC for over the last forty years Plaintiff will not be able to receive appropriate free exercise and equal treatment for his religious beliefs as he once did for over the past 10 years;
- (e). Declare that Defendants PA-DOC, Little, & Kleem violated The Religious Land Use and Institutionalized Person Act, The First, Fourteenth Amendments of The United States Constitution, and The Pennsylvania Constitution Article Eighth Amendment to the U.S. Constitution Section 3;
- (f). Reasonable attorney's fees and plaintiff's costs in this suit; and
- (g). Any additioanl relief this Court deems just, proper, and equitable.

2. An injunction ordering:

- (a). In injunction ordering Defendants' PA-DOC, Little, & Klemm to comply with all provisions set forth in the Settlement Agreement & Federal Court Order Class Action attached to this complaint as Exhibit A;
- (b). In injunction ordering Defendants' PA-DOC, Little, & Klemm to retract the



the new policy change prohibiting the religious Eid Feast as it is in violation of the attached settlement agreement-Federal Court Order, & U.S. Constitution;

- (c). In injunction ordering Defendants' PA-DOC, Little, & Klemm to provide the opportunity to hold make a up Eid for any and all missed Eid Feats due to the Defendants violation of the Settlement Agreement-Federal Court Order from the time of the filing of this complaint;
- (d). An injunction ordering termination of PA-DOC from receiving federal funding for violations Title VI of the Civil Rights Act of 1964 42 U.S.C.S. § 2000d-1 et seq,
- (e). Reasonable attorney's fees and plaintiff's costs in this suit;
- (f). Any additional relief this Court deems just, proper, and equitable.

## **COUNT II**

### **1st AMENDMENT RELIGIOUS DISCIMINATION & ESTABISHMENT CLAUSE**

#### **CLAIM AGAINST PA-DOC, LITTLE & KLEMM**

105. Paragraph 1-104 are being incorporated by reference as set forth fully at length herein

106. The failure of Defendants PA-DOC, Little, & Klemm through their implementation, promulgation, and/or enforcement of the PA-DOC policy have deprived plaintiff's of religious freedoms to ensure the provisions constitutionally required to freely exercise religion set forth fully in the complaint demonstrates and infringement on plaintiff's religious practice and are in direct violation of religious rights recognised within a 1983 Class Action Settlement attached to this Complaint, and have deprived plaintiff's of religious freedoms to ensure the provision of constitutionally required religious protections of equal treatment and non-discrimination to the plaintiff set forth in this complaint demonstrates religious unequal

teartment and discriminatory deliberate indifference to plaintiff's religious beliefs and practice of Plaintiff's religious needs and deliberate indifference to the failure of their subordinates to provide plaintiff constitutionally required religious free religious exercise, equal religious teartment, and non-discriminatory treatment in vioaltion of his right under The Religious Land Use and Institutionalized Person Act, The First & Fourteenth Amendments of The United States Constitution, and The Pennsylvania Constitution Article Section 3, the conduct of the individual Defendants was outrageous, malicious, wanton, wilful, reckless, and intentionally designed to inflict harm upon Plaintiff; Defendants PA-DOC is sued for damages & quitable relief, Defendants' Little, & Klemm are being sued in their individual capacity for damages and in their official capacity for quitable relief.

**WHEREFORE**, Plaintiff respectfully prays that this Honorable Court grant the following relief:

1. A declaration by the Court that:
  - (a). Defendants PA-DOC are and/or violated the entered Settlement Agreement-Federal Court Order to allow Muslims confined with it's PA-DOC's to have Eids at the end of Remadan where meats were purchased for the both Eid-Feast by the Muslim community;
  - (b). Plaintiff has not received equal treatment for his religious beliefs as other similarly situated inmates of a different beilef system such as the Chistian and Jewish Communitates;
  - (c). Provisions set forth in PA-DOC DC ADM-815 is discriminatory where it makes no mention of the Islamic religion pertaing to Eid Feast and other Islamic services;

- (d). As long as plaintiff is deprived of his religious practice to have Eid-Feast at the end of Ramadan as once was afforded by Defendants PA-DOC for over the last fourty (40) years Plaintiff will not be able to receive appropriate free religious exercise and equal treatment for his religious beliefs as he once did for over the past 10 years;
  - (e). Declare that Defendants PA-DOC, Little, & Kleem violated The Religious Land Use and Institutionalized Person Act, The First, Fourteenth Amendments of The United States Constitution, and The Pennsylvania Constitution Article 1 Section 3;
2. Compensatory and punitive damages:
- (a). Compensatory and punitive damages against Defendants PA-DOC, Little, & Kleem jointly and severally in an amount to be determined at trial for each day plaintiff PA-DOC prohibits Plaintiff from participating in the Eid Feats;
  - (b). Nominal damages;
  - (c). Reasonable attorney's fees and plaintiff's costs in this suit; and
  - (d). Any additioanl relief this Court deems just, proper, and equitable.
3. An injunction ordering:
- (a). In injunction ordering Defendants' PA-DOC, Little, & Klemm to comply with all provisions set forth in the Settlement Agreement-Federal Court Order Class Action attcahed to this complaint as Exhibit A;
  - (b). In injunction ordering Defendants' PA-DOC, Little, & Klemm to retract the the new ploicy change prohibiting the religious Eid Feast as it is in vioaltion of the attached Settlement Agreement-Federal Court Order;

- (c). In injunction ordering Defendants' PA-DOC, Little, & Klemm to provide the opportunity to hold make a up Eid for any and all missed Eid Feats due to the Defendants violation of the Settlement Agreement-Federal Court Order from the time of the filing of this complaint.

**COUNT III**

**14th AMENDMENT EQUAL PROTECTION & RELIGIOUS DISCRIMINATION**

**CLAIM AGAINST PA-DOC, LITTLE & KLEMM**

107. Paragraph 1-106 are being incorporated by reference as set forth fully at length herein

108. The failure of Defendants PA-DOC, Little, & Klemm through their implementation, promulgation, and/or enforcement of the PA-DOC policy have deprived plaintiff's of religious freedoms to ensure the provisions constitutionally required to freely exercise religion set forth fully in the complaint demonstrates and infringement on plaintiff's religious practice and are in direct violation of religious rights recognised within a 1983 Class Action Settlement attached to this Complaint, and have deprived plaintiff's of religious freedoms to ensure the provision of constitutionally required religious protections of equal teartment and non-discrimination to the plaintiff set forth in this complaint demonstrates religious unequal teartment and discriminatory deliberate indifference to plaintiff's religious beliefs and practice of Plaintiff's religious needs and deliberate indifference to the failure of their subordinates to provide plaintiff constitutionally required religious free religious exercise, equal religious teartment, and non-discriminatory treatment in vioaltion of his right under The Religious Land Use and Institutionalized Person Act, The First, Fourteenth Amendments of The United States Constitution, and The Pennsylvania Constitution Article Section 3, the conduct of the individual

Defendants was outrageous, malicious, wanton, wilful, reckless, and intentionally designed to inflict harm upon Plaintiff; Defendants PA-DOC is sued for damages & equitable relief, Defendants' Little, & Klemm are being sued in their individual capacity for damages and in their official capacity for equitable relief.

**WHEREFORE**, Plaintiff respectfully prays that this Honorable Court grant the following relief:

1. A declaration by the Court that:

- (a). Defendants PA-DOC are and/or violated the entered Settlement Agreement-Federal Court Order to allow Muslims confined with it's PA-DOC's to have Eids at the end of Ramadan where meats were purchased for the both Eid-Feast by the Muslim community;
- (b). Plaintiff has not received equal treatment for his religious beliefs as other similarly situated inmates of a different believe system such as the Chistian and Jewish Communitess;
- (c). Provisions set forth in PA-DOC DC ADM-815 is discriminatory where it makes no mention of the Islamic religion pertaining to Eid Feast and other Islamic services;
- (d). As long as plaintiff is deprived of his religious practice to have Eid-Feast at the end of Ramadan as once was afforded by Defendants PA-DOC for over the last fourty (40) years Plaintiff will not be able to receive appropriate free religious exercise and equal treatment for his religious beliefs as he once did for the past 9 years;
- (e). Declare that Defendants PA-DOC, Little, & Kleem violated The

Religious Land Use and Institutionalized Person Act, The First, Fourteenth Amendments of The United States Constitution, and The Pennsylvania Constitution Article Section 3;

2. Compensatory and punitive damages:
  - (a). Compensatory and punitive damages against Defendants PA-DOC, Little, & Kleem jointly and severally in an amount to be determined at trial for each day plaintiff PA-DOC prohibits Plaintiff from participating in the Eid Feats;
  - (b). Nominal damages;
  - (c). Reasonable attorney's fees and plaintiff's costs in this suit; and
  - (d). Any additionl relief this Court deems just, proper, and equitable.
3. An injunction ordering:
  - (a). In injunction ordering Defendants' PA-DOC, Little, & Klemm to comply with all provisions set forth in the Settlement Agreement-Federal Court Order Class Action attached to this complaint as Exhibit A;
  - (b). In injunction ordering Defendants' PA-DOC, Little, & Klemm to retract the the new ploicy change prohibiting the religious Eid Feast as it is in vioaltion of the attached Settlement Agreement-Federal Court Order;
  - (c). In injunction ordering Defendants' PA-DOC, Little, & Klemm to provide the opportunity to hold a make up Eid for any and all missed Eid Feats due to the Defendants violation of the Settlement Agreement-Federal Court Order from the time of the filing of this complaint.

#### **COUNT IV**

#### **THE PENNSYLVANIA CONTITUTION ARTICLE 1 SECTION 3**

**EQUAL PROTECTION & RELIGIOUS DISCRIMINATION**

**CLAIM AGAINST PA-DOC, LITTLE & KLEMM**

109. Paragraph 1-108 are being incorporated by reference as set forth fully at length herein

110. The failure of Defendants PA-DOC, Little, & Klemm through their implementation, promulgation, and/or enforcement of the PA-DOC policy have deprived plaintiffs of religious freedoms to ensure the provisions constitutionally required to freely exercise religion set forth fully in the complaint demonstrates and infringement on plaintiff's religious practice and are in direct violation of religious rights recognised within a 1983 Class Action Settlement attached to this Complaint, and have deprived plaintiff's of religious freedoms to ensure the provision of constitutionally required religious protections of equal treatment and non-discrimination to the plaintiff set forth in this complaint demonstrates religious unequal treatment and discriminatory deliberate indifference to plaintiff's religious beliefs and practice of Plaintiff's religious needs and deliberate indifference to the failure of their subordinates to provide plaintiff constitutionally required religious free religious exercise, equal religious treatment, and non-discriminatory treatment in violation of his right under The Religious Land Use and Institutionalized Person Act, The First and Fourteenth Amendments of The United States Constitution, and The Pennsylvania Constitution Article Section 3, the conduct of the individual Defendants was outrageous, malicious, wanton, wilful, reckless, and intentionally designed to inflict harm upon Plaintiff; Defendants PA-DOC is sued for damages & equitable relief, Defendants' Little, & Klemm are being sued in their individual capacity for damages and in their official capacity for equitable relief.

**WHEREFORE,** Plaintiff respectfully prays that this Honorable Court grant the

following relief:

1. A declaration by the Court that:
  - (a). Defendants PA-DOC are and/or violated the entered Settlement Agreement-Federal Court Order to allow Muslims confined with it's PA-DOC's to have Eids at the end of Ramadan where meats were purchased for the both Eid-Feast by the Muslim community;
  - (b). Plaintiff has not received equal treatment for his religious believes as other similarly situated inmates of a different beileve system such as the Chistian and Jewish Communitites;
  - (c). Provisions set forth in PA-DOC DC ADM-815 is discriminatory where it makes no mention of the Islamic religion pertaing to Eid Feast and other Islamic services;
  - (d). As long as plaintiff is deprived of his religious practice to have Eid-Feast at the end of Ramadan as once was offorded by Defendants PA-DOC for over the last (40) fourty years Plaintiff will not be able to receive appropriate free religious exercise and equal treatment for his religious believes as he once did for the past 10 years;
  - (e). Declare that Defendants PA-DOC, Little, & Kleem violated The Religious Land Use and Institutionalized Person Act, The First, Fourteenth Amendments of The United States Constitution, and The Pennsylvania Constitution Article 1 Section 3;
2. Compensatory and punitive damages:
  - (a). Compensatory and punitive damages against Defendants PA-DOC, Little, &



Kleem jointly and severally in an amount to be determined at trial for each day plaintiff PA-DOC prohibits Plaintiff from participating in the Eid Feats;

- (b). Nominal damages;
- (c). Reasonable attorney's fees and plaintiff's costs in this suit; and
- (d). Any additional relief this Court deems just, proper, and equitable.

3. An injunction ordering:

- (a). In injunction ordering Defendants' PA-DOC, Little, & Klemm to comply with all provisions set forth in the Settlement Agreement-Federal Court Order Class Action attached to this complaint as Exhibit A;
- (b). In injunction ordering Defendants' PA-DOC, Little, & Klemm to retract the the new policy change prohibiting the religious Eid Feast as it is in violation of the attached Settlement Agreement-Federal Court order;
- (c). In injunction ordering Defendants' PA-DOC, Little, & Klemm to provide the opportunity to hold a make up Eid for any and all missed Eid Feats due to the Defendants violation of the settlement agreement from the time of the filing of this complaint.

**COUNT V**

**THE RELIGIOUS LAND USE & INSTITUTIONALIZED PERSON ACT  
EQUAL PROTECTION & RELIGIOUS DISCRIMINATION CLAIM AGAINST  
PA-DOC, LITTLE & KLEMM**

111. Paragraph 1-110 are being incorporated by reference as the same set forth fully at length herein.

112. As set forth fully in this complaint, Defendants PA-DOC, through their implementation, promulgation, and/or enforcement of the PA-DOC ADM-819 Section (3)(c)

policy have denied plaintiff's request and/or access for a religious accommodation in the form of being premitted to personally possess religious blessed scented oil in his cell for prayer therefore, deprived plaintiff of his protected rights ensured under The Religious Land Use and Institutionalized Person Act, Title VI of the Civil Rights Act of 1964 42 U.S.C.S. § 2000d-1 et seq, The First and Fourteenth Amendments of The United States Constitution, and The Pennsylvania Constitution Article 1 Section 3.

113. This demonstrates deliberate indifference to the failure of their subordinates to provide accommodations in the form of religious blessed scented oil to the Plaintiff something Defendant PA-DOC/SCI-Phoenix already provide at SCI-Phoenix, but only for one of Plaintiff 35 weekly prayers which protections/religious rights are required under The Religious Land Use and Institutionalized Person Act, The First and Fourteenth Amendments of The United States Constitution, and The Pennsylvania Constitution Article 1 Section 3, in violation of his protected rights under the The Religious Land Use and Institutionalized Person Act, Title VI of the Civil Rights Act of 1964, 42 U.S.C.S. § 2000d-1 et seq, The First and Fourteenth Amendments of The United States Constitution, and The Pennsylvania Constitution Article 1 Section 3, Defendant PA-DOC are being sued for Compensatory & injunction relief.

**WHEREFORE**, plaintiff respectfully prays that this Court enter Judgement granting him:

1. A declaration:

- (a). A declaration by the Court that PA-DOC DC ADM-819 Section (3)(c) policy denying plaintiff access to religious blessed scented oil in the form of an (out-right-ban) places a substantial burden on Plaintiff protected religious rights ensured under The Religious Land Use and Institutionalized Person Act, in

violation of his protected rights under The Religious Land Use and Institutionalized Person Act;

- (b). An injunction ordering Defendant The PA-DOC to grant plaintiff's accommodation request in the form of premitting Plaintiff to personally possess blessed scented oil in his cell;
- (c). An injunction ordering Defendant The PA-DOC from future retaliation for bring this suit and reporting the violations pursuant to The Pennsylvania Constitution Article 1 Section 3, The Religious Land Use and Institutionalized Person Act, The First, & Fourteenth Amendments of The United States Constitution U.S. constitution;
- (d). An injunction ordering termination of PA-DOC from receiving federal funding for violations Title VI of the Civil Rights Act of 1964 42 U.S.C.S. § 2000d-1 et seq,
- (e). Nominal damages;
- (f). Reasonable attorney's fees and plaintiff's costs in this suit;
- (g). Any additional relief this Court deems just, proper, and equitable.

#### **COUNT VI**

#### **1ST & 14TH AMENDMENT FREE EXERCISE/ESTABLISHMENT CLAUSE, EQUAL PROTECTION & RELIGIOUS DISCRIMINATION CLAIM AGAINST**

#### **PA-DOC, LITTLE & KLEMM**

114. Paragraph 1-113 are being incorporated by reference as the same set forth fully at length herein.

115. As set forth fully in this complaint, Defendants PA-DOC, Little, & Klemm through their implementation, promulgation, and/or enforcement of the PA-DOC ADM-819 Section (3) (c) policy have denied plaintiff's request and/or access for a religious accommodation in the form

of being premitted to personally possess religious blessed scented oil in his cell for prayer therefore, deprived plaintiff of his protected rights ensured under The Religious Land Use and Institutionalized Person Act, The First and Fourth Amendments of The United States Constitution, and The Pennsylvania Constitution Article 1 Section 3.

116. This demonstrates deliberate indifference to the failure of their subordinates to provide accommodations in the form of religious blessed scented oil to the Plaintiff something Defendant PA-DOC/SCI-Phoenix already provide at SCI-Phoenix, but only for one of Plaintiff 35 weekly prayers which protections/religious rights are required under The Religious Land Use and Institutionalized Person Act, The First Amendments of The United States Constitution, and The Pennsylvania Constitution Article 1 Section 3, in violation of his protected rights under the The Religious Land Use and Institutionalized Person Act, The First and Fourth Amendments of The United States Constitution, and The Pennsylvania Constitution Article 1 Section 3, Defendants PA-DOC is sued for damages & quitable relief, Defendants' Little, & Klemm are being sued in their individual capacity for damages and in their official capacity for quitable relief. **WHEREFORE**, plaintiff respectfully prays that this Court enter Judgement granting him:

- (a). A declaration by the Court that PA-DOC DC ADM-819 Section (3)(c) policy denying plaintiff access to religious blessed scented oil in the form of an (out-right-ban) places a substanital burden on Plaintiff protected religious rights ensured under The Religious Land Use and Institutionalized Person Act, in violation of his protected rights under The Religious Land Use and Institutionalized Person Act;
- (b). An injunction ordering Defendant The PA-DOC to grant plaintiff's

accommodation request in the form of premitting Plaintiff to persoanlly possess blessed scented oil in his cell;

- (c). An injunction ordering Defendant The PA-DOC from future retaliation for bring this suit and reporting the violations pursuant to The Pennsylvania Constitution Article 1 Section 3, The Religious Land Use and Institutionalized Person Act, The First, Eighth, & Fourteenth Amendments of The United States Constitution U.S. constitution;
- (d). Compensatory damages against Defendant The PA-DOC for each day that plaintiff has been unable to receive accommodation in the form of religious scented oil for prayer;
- (e). Compensatory damages against Defendant The PA-DOC for each day that plaintiff has been denied a reasonable accommodation in the form of religious scented oil for prayer;
- (f). Nominal damages;
- (g). Reasoanble attorney's fees and plaintiff's costs in this suit;
- (h). Any additional relief this Court deems just, proper, and equitable.

#### **COUNT VII**

#### **14TH AMENDMENT FREE EXERCISE, EQUAL PROTECTION**

#### **& RELIGIOUS DISCRIMINATION CLAIM AGAINST**

#### **PA-DOC, LITTLE & KLEMM**

117. Paragraph 1-116 are being incorporated by reference as the same set forth fully at length herein.

118. As set forth fully in this complaint, Defendants PA-DOC, Little, & Klemm through their implementation, promulgation, and/or enforcement of the PA-DOC ADM-819

Section (3)(c) policy have denied plaintiff's request and/or access for a religious accommodation in the form of being permitted to personally possess religious blessed scented oil in his cell for prayer therefore, deprived plaintiff of his protected rights ensured under The Religious Land Use and Institutionalized Person Act, The First & Fourteenth Amendments of The United States Constitution, and The Pennsylvania Constitution Article 1 Section 3.

119. This demonstrates deliberate indifference to the failure of their subordinates to provide accommodations in the form of religious blessed scented oil to the Plaintiff something Defendant PA-DOC/SCI-Phoenix already provide at SCI-Phoenix, but only for one of Plaintiff 35 weekly prayers which protections/religious rights are required in violation of his protected rights under the The Religious Land Use and Institutionalized Person Act, The First and Fourteenth Amendment of The United States Constitution, and The Pennsylvania Constitution Article 1 Section 3, Defendants PA-DOC is sued for damages & equitable relief, Defendants' Little, & Klemm are being sued in their individual capacity for damages and in their official capacity for equitable relief.

**WHEREFORE**, plaintiff respectfully prays that this Court enter Judgement granting him:

- (a). A declaration by the Court that PA-DOC DC ADM-819 Section (3)(c) policy denying plaintiff access to religious blessed scented oil in the form of an (out-right-ban) places a substantial burden on Plaintiff protected religious rights ensured under The Religious Land Use and Institutionalized Person Act, in violation of his protected rights under The Religious Land Use and Institutionalized Person Act;
- (b). An injunction ordering Defendant The PA-DOC to grant plaintiff's

accommodation request in the form of premitting Plaintiff to persoanlly possess  
blessed scented oil in his cell;

- (c). An injuncion ordering Defendant The PA-DOC from future retaliation for bring  
this suit and reporting the violations pursuant to The Pennsylvania Constitution  
Article 1 Section 3, The Religious Land Use and Institutionalized Person Act, The  
First, Fourteenth Amendment of The United States Constitution U.S.  
constitution;
- (d). Compensatory damages against Defendant The PA-DOC for each day that  
plaintiff has been unable to receive accommodation in the form of religious  
scented oil for prayer;
- (e). Compensatory damages against Defendant The PA-DOC for each day that  
plaintiff has been denied a reasonable accommodation in the form of religious  
scented oil for prayer;
- (f). Nominal damages;
- (g). Reasoanble attorney's fees and plaintiff's costs in this suit;
- (h). Any additional relief this Court deems just, proper, and equitable.

### **COUNT VIII**

#### **THE PENNSYLVANIA CONTITUTION ARTCLE 1 SECTION 3**

#### **EQUAL PROTECTION & RELIGIOUS DISCRIMINATION**

#### **CLAIM AGAINST PA-DOC, LITTLE & KLEMM**

120. Paragraph 1-119 are being incorporated by reference as the same set forth fully at  
length herein.

121. As set forth fully in this complaint, Defendants PA-DOC, Little, Kleem through  
their implementation, promulgation, and/or enforcement of the PA-DOC ADM-819 Section (3)

(c) policy have denied plaintiff's request and/or access for a religious accommodation in the form of being premitted to personally possess religious blessed scented oil in his cell for prayer therefore, deprived plaintiff of his protected rights ensured under The Religious Land Use and Institutionalized Person Act, The First and Fourteenth Amendments of The United States Constitution, and The Pennsylvania Constitution Article 1 Section 3.

122. This demonstrates deliberate indifference to the failure of their subordinates to provide accommodations in the form of religious blessed scented oil to the Plaintiff something Defendant PA-DOC/SCI-Phoenix already provide at SCI-Phoenix, but only for one of Plaintiff 35 weekly prayers which protections/religious rights are required in violation under The Religious Land Use and Institutionalized Person Act, The First and Fourteenth Amendments of The United States Constitution, and The Pennsylvania Constitution Article 1 Section 3, Defendants PA-DOC is sued for damages & quitable relief, Defendants' Little, & Klemm are being sued in their individual capacity for damages and in their official capacity for quitable relief. **WHEREFORE**, plaintiff respectfully prays that this Court enter Judgement granting him:

- (a). A declaration by the Court that PA-DOC DC ADM-819 Section (3)(c) policy denying plaintiff access to religious blessed scented oil in the form of an (out-right-ban) places a substanital burden on Plaintiff protected religious rights inviolation of his rights ensured under The Pennsylvania Constitution Article 1 Section 3, The First Amendment of The United States Constitution, and The Religious Land Use and Institutionalized Person Act;
- (b). An injunction ordering Defendant The PA-DOC to grant plaintiff's accommodation request in the form of premitting Plaintiff to persoanlly possess



blessed scented oil in his cell for prayer;

- (c). An injunction ordering Defendant The PA-DOC from future retaliation for bring this suit and reporting the violations pursuant to The Pennsylvania Constitution Article 1 Section 3, The Religious Land Use and Institutionalized Person Act, The First, Fourth, & Fourteenth Amendments of The United States Constitution U.S. constitution;
- (d). Compensatory damages against Defendant The PA-DOC for each day that plaintiff has been unable to receive accommodation in the form of religious scented oil for prayer;
- (e). Compensatory damages against Defendant The PA-DOC for each day that plaintiff has been denied a reasonable accommodation in the form of religious scented oil for prayer;
- (f). Nominal damages;
- (g). Reasonable attorney's fees and plaintiff's costs in this suit;
- (h). Any additional relief this Court deems just, proper, and equitable.

### **COUNT IX**

#### **THE RELIGIOUS LAND USE & INSTITUTIONALIZED PERSON ACT**

#### **CLAIM AGAINST PA-DOC, LITTLE & KLEMM**

123. Paragraph 1-122 are being incorporated by reference as the same set forth fully at length herein.

124. As set forth fully in this complaint, Defendants PA-DOC, Little, & Klemm through their implementation, promulgation, and/or enforcement of the PA-DOC ADM-008 Section (J) policy have denied plaintiff's request and/or access for a religious accommodation in the form of a see-through shower curtain with opaque view for showering privacy for religious

reasons and showering protections afforded to similarly situated inmates housed at the same institution in therefore, deprived plaintiff of his protected rights ensured under The Religious Land Use and Institutionalized Person Act, Title VI of the Civil Rights Act of 1964, 42 U.S.C.S. § 2000d-1 et seq, The First, Fourth, and Fourteenth Amendments of The United States Constitution, and The Pennsylvania Constitution Article 1 Section 3.

125. This demonstrates deliberate indifference and intentional religious discrimination to the failure of their subordinates to provide religious accommodations in the form of showering privacy for religious reasons something Defendants' PA-DOC, Little, Kleem, & SCI-Phoenix approved & already provides at SCI-Phoenix on (Units-A) (Units-B) (Units-M) & (Units-Q) and to a class of similiary situtated inmates in violation of the protections required under The Religious Land Use and Institutionalized Person Act, Title VI of the Civil Rights Act of 1964, 42 U.S.C.S. § 2000d-1 et seq, The First, Fourth, and Fourteenth Amendments of The United States Constitution, and The Pennsylvania Constitution Article 1 Section 3, Defendant PA-DOC are being sued for compensatory & injunction relief.

**WHEREFORE**, plaintiff respectfully prays that this Court enter Judgement granting him:

- (a). A declaration by the Court that PA-DOC DC ADM-008 policy denying plaintiff access to the same showering protections is dicriminatory where Defendants PA-DOC already approved and provides showering accommodations for non-religious reasons to a class of similarly situated inmates demonsrates religious discrimination, unequal protection dnied free exercise in violation of the rights ensured under The Religious Land Use and Institutionalized Person Act, The Pennsylvania Constitution Article 1 Section 3, The First, Fourth & Fourteenth

Amendments of The United States Constitution;

- (b). Plaintiff is entitled to the same religious protections and accommodations provided to similarly situated inmates at SCI-Phoenix that are provided for non-religious reasons in the form of a see-through shower curtain with opaque view for showering privacy & religious reasons;
- (c). Plaintiff was excluded from receiving the same non-religious protection afforded to similarly situated inmates in the same SCI-Phoenix Plaintiff is housed at for religious reasons;
- (d). An injunction ordering Defendant The PA-DOC to grant plaintiff's accommodation request in the form of a see-through shower curtain with opaque view for showering privacy & religious reasons protections provided to similarly situated inmates at SCI-Phoenix that are provided and approved already for non-religious reasons;
- (e). An injunction ordering Defendant The PA-DOC from any and all future retaliation for bringing this suit and reporting the violations pursuant to The Pennsylvania Constitution Article 1 Section 3, The Religious Land Use and Institutionalized Person Act, The First, Fourth, & Fourteenth Amendments of The United States Constitution U.S. constitution;
- (f). An injunction ordering termination of PA-DOC from receiving federal funding for violations Title VI of the Civil Rights Act of 1964 42 U.S.C.S. § 2000d-1 et seq,
- (g). Reasonable attorney's fees and plaintiff's costs in this suit;
- (h). Any additional relief this Court deems just, proper, and equitable.

**COUNT X**

**1ST AMENDMENT RELIGIOUS DISCIMINATION & EQUAL PROTECTION CLAIM  
AGAINST PA-DOC, LITTLE & KLEMM**

126. Paragraph 1-125 are being incorporated by reference as the same set forth fully at length herein.

127. As set forth fully in this complaint, Defendants PA-DOC, Little, & Klemm through their implementation, promulgation, and/or enforcement of the PA-DOC ADM-008 Section (J) policy have denied plaintiff's request and/or access for a religious accommodation in the form of a see-through shower curtain with opaque view for showering privacy for religious reasons and showering protections afforded to similarly situated inmates housed at the same institution in therefore, deprived plaintiff of his protected rights ensured under The Religious Land Use and Institutionalized Person Act, The First, Fourth, and Fourteenth Amendments of The United States Constitution, and The Pennsylvania Constitution Article 1 Section 3.

128. This demonstrates deliberate indifference and intentional religious discrimination to the failure of their subordinates to provide religious accommodations in the form of showering privacy for religious reasons something Defendants' PA-DOC, Little, Kleem, & SCI-Phoenix approved & already provides at SCI-Phoenix on (Units-A) (Units-B) (Units-M) & (Units-Q) and to a class of similiary situtated inmates in violation of the protections required under The Religious Land Use and Institutionalized Person Act, The First, Fourth, and Fourteenth Amendments of The United States Constitution, and The Pennsylvania Constitution Article 1 Section 3, Defendants PA-DOC is sued for damages & quitable relief, Defendants' Little, & Klemm are being sued in their individual capacity for damages and in their official capacity for quitable relief.

**WHEREFORE**, plaintiff respectfully prays that this Court enter Judgement

granting him:

- (a). A declaration by the Court that PA-DOC DC ADM-008 policy denying plaintiff access to the same showering protections is discriminatory where Defendants PA-DOC already approved and provides showering accommodations for non-religious reasons to a class of similarly situated inmates demonstrates religious discrimination, unequal protection in violation of the rights ensured under The Religious Land Use and Institutionalized Person Act, The Pennsylvania Constitution Article 1 Section 3, The First, Fourth & Fourteenth Amendments of The United States Constitution;
- (b). Plaintiff is entitled to the same religious protections and accommodations provided to similarly situated inmates at SCI-Phoenix that are provided for non-religious reasons in the form of a see-through shower curtain with opaque view for showering privacy & religious reasons;
- (c). Plaintiff was excluded from receiving the same non-religious protection afforded to similarly situated inmates in the same SCI-Phoenix Plaintiff is housed at for religious reasons;
- (d). An injunction ordering Defendant The PA-DOC to grant plaintiff's accommodation request in the form of a see-through shower curtain with opaque view for showering privacy & religious reasons protections provided to similarly situated inmates at SCI-Phoenix that are provided and approved already for non-religious reasons;
- (e). An injunction ordering Defendant The PA-DOC from any and all future retaliation for bringing this suit and reporting the violations pursuant to The

Pennsylvania Constitution Article 1 Section 3, The Religious Land Use and Institutionalized Person Act, The First, Fourth, & Fourteenth Amendments of The United States Constitution U.S. constitution;

- (f). Compensatory damages against Defendant The PA-DOC for each day that plaintiff has been unable to receive religious accommodation and the same religious rights provided protections as similiary situated inmates housed at the same SCI-Phoenix;
- (g). Compensatory damages against Defendant The PA-DOC for each day that plaintiff was unable to receive a reasonable religious accommodation and the same protections as similiary situated inmates housed at the same SCI-Phoenix Plaintiff is housed at;
- (h). Nominal damages;
- (i). Reasoanble attorney's fees and plaintiff's costs in this suit;
- (j). Any additional relief this Court deems just, proper, and equitable.

#### **COURT XI**

#### **4TH & 1ST AMENDMENT RELIGIOUS DISCIMINATION & INVATION OF PRIVATE CLAIM AGAINST PA-DOC, LITTLE & KLEMM**

129. Paragraph 1-128 are being incorporated by reference as the same set forth fully at length herein.

130. As set forth fully in this complaint, Defendants PA-DOC, Little, & Klemm through their implementation, promulgation, and/or enforcement of the PA-DOC ADM-008 Section (J) policy have denied plaintiff's request and/or access for a religious accommodation in the form of a see-through shower curtain with opaque view for showering privacy for religious reasons and showering protections offorded to similarly situated inmates housed at the same

institution in therefore, deprived plaintiff of his protected rights ensured under The Religious Land Use and Institutionalized Person Act, The First, Fourth, and Fourteenth Amendments of The United States Constitution, and The Pennsylvania Constitution Article 1 Section 3.

131. This demonstrates deliberate indifference and intentional religious discrimination to the failure of their subordinates to provide religious accommodations in the form of showering privacy for religious reasons something Defendants' PA-DOC, Little, Kleem, & SCI-Phoenix approved & already provides at SCI-Phoenix on (Units-A) (Units-B) (Units-M) & (Units-Q) and to a class of similiary situtated inmates in violation of the protections required under The Religious Land Use and Institutionalized Person Act, The First, Fourth, and Fourteenth Amendments of The United States Constitution, and The Pennsylvania Constitution Article 1 Section 3, Defendants PA-DOC is sued for damages & quitable relief, Defendants' Little, & Klemm are being sued in their individual capacity for damages and in their official capacity for quitable relief.

**WHEREFORE**, plaintiff respectfully prays that this Court enter Judgement granting him:

- (a). A declaration by the Court that PA-DOC DC ADM-008 policy denying plaintiff access to the same showering protections is dicriminatory where Defendants PA-DOC already approved and provides showering accommodations for non-religious reasons to a class of similarly situated inmates demonsrates religious discrimination, unequal protection in violation of the rights ensured under The Religious Land Use and Institutionalized Person Act, The Pennsylvania Constitution Article 1 Section 3, The First, Fourth, & Fourteenth Amendments of The United States Constitution;

- (b). Plaintiff is entitled to the same religious protections and accommodations provided to similarly situated inmates at SCI-Phoenix that are provided for non-religious reasons in the form of a see-through shower curtain with opaque view for showering privacy & religious reasons;
- (c). Plaintiff was excluded from receiving the same non-religious protection afforded to similarly situated inmates in the same SCI-Phoenix Plaintiff is housed at for religious reasons;
- (d). An injunction ordering Defendant The PA-DOC to grant plaintiff's accommodation request in the form of a see-through shower curtain with opaque view for showering privacy & religious reasons protections provided to similarly situated inmates at SCI-Phoenix that are provided and approved already for non-religious reasons;
- (e). An injunction ordering Defendant The PA-DOC from any and all future retaliation for bringing this suit and reporting the violations pursuant to The Pennsylvania Constitution Article 1 Section 3, The Religious Land Use and Institutionalized Person Act, The First, Fourth, & Fourteenth Amendments of The United States Constitution U.S. constitution;
- (f). Compensatory damages against Defendant The PA-DOC for each day that plaintiff has been unable to receive religious accommodation and the same religious rights provided protections as similarly situated inmates housed at the same SCI-Phoenix;
- (g). Compensatory damages against Defendant The PA-DOC for each day that plaintiff was unable to receive a reasonable religious accommodation and the



same protections as similarly situated inmates housed at the same SCI-Phoenix Plaintiff is housed at;

- (h). Nominal damages;
- (i). Reasonable attorney's fees and plaintiff's costs in this suit;
- (j). Any additional relief this Court deems just, proper, and equitable.

## **COUNT XII**

### **14TH AMENDMENT RELIGIOUS DISCRIMINATION & EQUAL PROTECTION**

#### **CLAIM AGAINST PA-DOC, LITTLE & KLEMM**

132. Paragraph 1-131 are being incorporated by reference as the same set forth fully at length herein.

133. As set forth fully in this complaint, Defendants PA-DOC, Little, & Klemm through their implementation, promulgation, and/or enforcement of the PA-DOC ADM-008 Section (J) policy have denied plaintiff's request and/or access for a religious accommodation in the form of a see-through shower curtain with opaque view for showering privacy for religious reasons and showering protections afforded to similarly situated inmates housed at the same institution in therefore, deprived plaintiff of his protected rights ensured under The Religious Land Use and Institutionalized Person Act, The First, Fourth, and Fourteenth Amendments of The United States Constitution, and The Pennsylvania Constitution Article 1 Section 3.

134. This demonstrates deliberate indifference and intentional religious discrimination to the failure of their subordinates to provide religious accommodations in the form of showering privacy for religious reasons something Defendants' PA-DOC, Little, Klemm, & SCI-Phoenix approved & already provides at SCI-Phoenix on (Units-A) (Units-B) (Units-M) & (Units-Q) and to a class of similarly situated inmates in violation of the protections required under The Religious Land Use and Institutionalized Person Act, The First, Fourth, and Fourteenth

Amendments of The United States Constitution, and The Pennsylvania Constitution Article 1 Section 3, Defendants PA-DOC is sued for damages & equitable relief, Defendants' Little, & Klemm are being sued in their individual capacity for damages and in their official capacity for equitable relief.

**WHEREFORE**, plaintiff respectfully prays that this Court enter Judgement granting him:

- (a). A declaration by the Court that PA-DOC DC ADM-008 policy denying plaintiff access to the same showering protections is discriminatory where Defendants PA-DOC already approved and provides showering accommodations for non-religious reasons to a class of similarly situated inmates demonstrates religious discrimination, unequal protection in violation of the rights ensured under The Religious Land Use and Institutionalized Person Act, The Pennsylvania Constitution Article 1 Section 3, The, First, Fourth, & Fourteenth Amendments of The United States Constitution;
- (b). Plaintiff is entitled to the same religious protections and accommodations provided to similarly situated inmates at SCI-Phoenix that are provided for non-religious reasons in the form of a see-through shower curtain with opaque view for showering privacy & religious reasons;
- (c). Plaintiff was excluded from receiving the same non-religious protection afforded to similarly situated inmates in the same SCI-Phoenix Plaintiff is housed at for religious reasons;
- (d). An injunction ordering Defendant The PA-DOC to grant plaintiff's accommodation request in the form of a see-through shower curtain with opaque

view for showering privacy & religious reasons protections provided to similarly situated inmates at SCI-Phoenix that are provided and approved already for non-religious reasons;

- (e). An injunction ordering Defendant The PA-DOC from any and all future retaliation for bringing this suit and reporting the violations pursuant to The Pennsylvania Constitution Article 1 Section 3, The Religious Land Use and Institutionalized Person Act, The First, Fourth, & Fourteenth Amendments of The United States Constitution U.S. constitution;
- (f). Compensatory damages against Defendant The PA-DOC for each day that plaintiff has been unable to receive religious accommodation and the same religious rights provided protections as similarly situated inmates housed at the same SCI-Phoenix;
- (g). Compensatory damages against Defendant The PA-DOC for each day that plaintiff was unable to receive a reasonable religious accommodation and the same protections as similarly situated inmates housed at the same SCI-Phoenix Plaintiff is housed at;
- (h). Nominal damages;
- (i). Reasonable attorney's fees and plaintiff's costs in this suit;
- (j). Any additional relief this Court deems just, proper, and equitable.

**COUNT XIII**

**THE PENNSYLVANIA CONSTITUTION ARTICLE 1 SECTION 3  
RELIGIOUS DISCRIMINATION & EQUAL PROTECTION CLAIM  
AGAINST PA-DOC, LITTLE & KLEMM**

135. Paragraph 1-134 are being incorporated by reference as the same set forth fully at

length herein.

136. As set forth fully in this complaint, Defendants PA-DOC, Little, Klemm through their implementation, promulgation, and/or enforcement of the PA-DOC ADM-008 Section (J) policy have denied plaintiff's request and/or access for a religious accommodation in the form of a see-through shower curtain with opaque view for showering privacy for religious reasons and showering protections afforded to similarly situated inmates housed at the same institution in therefore, deprived plaintiff of his protected rights ensured under The Religious Land Use and Institutionalized Person Act, The First, Fourth, & Fourteenth Amendments of The United States Constitution, and The Pennsylvania Constitution Article 1 Section 3.

137. This demonstrates deliberate indifference and intentional religious discrimination to the failure of their subordinates to provide religious accommodations in the form of showering privacy for religious reasons something Defendants' PA-DOC, Little, Kleem, & SCI-Phoenix approved & already provides at SCI-Phoenix on (Units-A) (Units-B) (Units-M) & (Units-Q) and to a class of similiary situtated inmates in violation of the protections required under The Religious Land Use and Institutionalized Person Act, The First, Fourth, & Fourteenth Amendments of The United States Constitution, and The Pennsylvania Constitution Article 1 Section 3, Defendants PA-DOC is sued for damages & quitable relief, Defendants' Little, & Klemm are being sued in their individual capacity for damages and in their official capacity for quitable relief.

**WHEREFORE**, plaintiff respectfully prays that this Court enter Judgement granting him:

- (a). A declaration by the Court that PA-DOC DC ADM-008 policy denying plaintiff access to the same showering protections is dicriminatory where Defendants PA-

DOC already approved and provides showering accommodations for non-religious reasons to a class of similarly situated inmates demonstrates religious discrimination, unequal protection in violation of the rights ensured under The Religious Land Use and Institutionalized Person Act, The Pennsylvania Constitution Article 1 Section 3, The First, Fourth, & Fourteenth Amendments of The United States Constitution;

- (b). Plaintiff is entitled to the same religious protections and accommodations provided to similarly situated inmates at SCI-Phoenix that are provided for non-religious reasons in the form of a see-through shower curtain with opaque view for showering privacy & religious reasons;
- (c). Plaintiff was excluded from receiving the same non-religious protection afforded to similarly situated inmates in the same SCI-Phoenix Plaintiff is housed at for religious reasons;
- (d). An injunction ordering Defendant The PA-DOC to grant plaintiff's accommodation request in the form of a see-through shower curtain with opaque view for showering privacy & religious reasons protections provided to similarly situated inmates at SCI-Phoenix that are provided and approved already for non-religious reasons;
- (e). An injunction ordering Defendant The PA-DOC from any and all future retaliation for bringing this suit and reporting the violations pursuant to The Pennsylvania Constitution Article 1 Section 3, The Religious Land Use and Institutionalized Person Act, The First, Fourth, & Fourteenth Amendments of The United States Constitution U.S. constitution;

- (f). Compensatory damages against Defendant The PA-DOC for each day that plaintiff has been unable to receive religious accommodation and the same religious rights provided protections as similarly situated inmates housed at the same SCI-Phoenix;
- (g). Compensatory damages against Defendant The PA-DOC for each day that plaintiff was unable to receive a reasonable religious accommodation and the same protections as similarly situated inmates housed at the same SCI-Phoenix Plaintiff is housed at;
- (h). Nominal damages;
- (i). Reasonable attorney's fees and plaintiff's costs in this suit;
- (j). Any additional relief this Court deems just, proper, and equitable.

**COUNT XIV**

**THE RELIGIOUS LAND USE & INSTITUTIONALIZED PERSON ACT**

**CLAIM AGAINST PA-DOC, LITTLE & KLEMM**

138. Paragraph 1-137 are being incorporated by reference as the same set forth fully at length herein.

139. As set forth fully in this complaint, Defendants PA-DOC, Little, & Klemm through their implementation, promulgation, and/or enforcement of the PA-DOC ADM-819 Section (3)(c) policy have denied plaintiff's request and/or access for a religious accommodation for the same religious protections afforded to similarly situated inmates housed at the same institution in the form of religious headscarf and have therefore, deprived plaintiff of his protected rights ensured under The Religious Land Use and Institutionalized Person Act, Title VI of the Civil Rights Act of 1964 42 U.S.C.S. § 2000d-1 et seq, The First & Fourteenth Amendments of The United States Constitution, and The Pennsylvania Constitution Article 1

Section 3.

140. This demonstrates deliberate indifference and intentional religious discrimination to the failure of their subordinates to provide religious accommodations in the form of a religious headscarf something Defendants' PA-DOC, Little, Kleem, & SCI-Phoenix approved & already provides at SCI-Phoenix to a class of similary situtated inmates who are not and/or does not follow the Islamic faith and/or who are not aprat of the Islamic community protections required in violation of his protected rights under the The Religious Land Use and Institutionalized Person Act, Title VI of the Civil Rights Act of 1964 42 U.S.C.S. § 2000d-1 et seq, The First & Fourteenth Amendments of The United States Constitution, and The Pennsylvania Constitution Article 1 Section 3, Defendant PA-DOC are being sued for Compensatory & injunction relief.

**WHEREFORE**, plaintiff respectfully prays that this Court enter Judgement granting him:

- (a). A declaration by the Court that PA-DOC DC ADM-819 policy denying plaintiff access to religious a headscarf something Defendants PA-DOC already approved and provides to other religious and non-religious similarly situated classies is religious discrimination & a equal protection violation of the rights ensured under The Religious Land Use and Institutionalized Person Act, The Pennsylvania Constitution Article 1 Section 3, The First & Fourteenth Amendments of The United States Constitution;
- (b). Plaintiff is entitled to the same religious protections and accommodations provided to similarly situated inmates at SCI-Phoenix that are provided religious and non-religious reasons in the form of a religious headscarf;
- (c). Plaintiff was excluded from receving the same religious and non-religious

protection afforded to similarly situated inmates in the same SCI-Phoenix Plaintiff is housed at;

- (d). An injunction ordering Defendant The PA-DOC to grant plaintiff's accommodation request in the form of a religious headscarf provided to similarly situated inmates at SCI-Phoenix that are provided and approved already;
- (e). An injunction ordering Defendant The PA-DOC from future retaliation for bring this suit and reporting the violations pursuant to The Pennsylvania Constitution Article 1 Section 3, The Religious Land Use and Institutionalized Person Act, The First & Fourteenth Amendments of The United States Constitution U.S. constitution;
- (f). An injunction ordering termination of PA-DOC from receiving federal funding for violations Title VI of the Civil Rights Act of 1964 42 U.S.C.S. § 2000d-1 et seq,
- (g). Nominal damages;
- (h). Reasonable attorney's fees and plaintiff's costs in this suit;
- (i). Any additional relief this Court deems just, proper, and equitable.

### **COUNT XV**

#### **1st AMENDMENT RELIGIOUS DISCRIMINATION & EQUAL PROTECTION CLAIM AGAINST PA-DOC, LITTLE & KLEMM**

141. Paragraph 1-140 are being incorporated by reference as the same set forth fully at length herein.

142. As set forth fully in this complaint, Defendants PA-DOC, Little, Klemm through their implementation, promulgation, and/or enforcement of the PA-DOC ADM-819 Section (3) (c) policy have denied plaintiff's request and/or access for a religious accommodation for the same religious protections afforded to similarly situated inmates housed at the same institution in



the form of religious headscarf and have therefore, deprived plaintiff of his protected rights ensured under The Religious Land Use and Institutionalized Person Act, The First & Fourteenth Amendments of The United States Constitution, and The Pennsylvania Constitution Article 1 Section 3.

143. This demonstrates deliberate indifference and intentional religious discrimination to the failure of their subordinates to provide religious accommodations in the form of a religious headscarf something Defendants' PA-DOC, Little, Kleem, & SCI-Phoenix approved & already provides at SCI-Phoenix to a class of similiary situtated inmates who are not and/or does not follow the Islamic faith and/or who are not aprat of the Islamic community protections required under in violation of his protected rights under the The Religious Land Use and Institutionalized Person Act, The First & Fourteenth Amendments of The United States Constitution, and The Pennsylvania Constitution Article 1 Section 3, Defendants PA-DOC is sued for damages & quitable relief, Defendants' Little, & Klemm are being sued in their individual capacity for damages and in their official capacity for quitable relief.

**WHEREFORE**, plaintiff respectfully prays that this Court enter Judgement granting him:

- (a). A declaration by the Court that PA-DOC DC ADM-819 policy denying plaintiff access to religious a headscarf something Defendants PA-DOC already approved and provides to other religious and non-religious similarly situated classies is religious discrimination & a equal protection violation of the rights ensured under The Religious Land Use and Institutionalized Person Act, The Pennsylvania Constitution Article 1 Section 3, The First & Fourteenth Amendments of The United States Constitution;

- (b). Plaintiff is entitled to the same religious protections and accommodations provided to similarly situated inmates at SCI-Phoenix that are provided religious and non-religious reasons in the form of a religious headscarf;
- (c). Plaintiff was excluded from receiving the same religious and non-religious protection afforded to similarly situated inmates in the same SCI-Phoenix Plaintiff is housed at;
- (d). An injunction ordering Defendant The PA-DOC to grant plaintiff's accommodation request in the form of a religious headscarf provided to similarly situated inmates at SCI-Phoenix that are provided and approved already;
- (e). An injunction ordering Defendant The PA-DOC from future retaliation for bring this suit and reporting the violations pursuant to The Pennsylvania Constitution Article 1 Section 3, The Religious Land Use and Institutionalized Person Act, The First & Fourteenth Amendments of The United States Constitution U.S. constitution;
- (f). Compensatory damages against Defendant The PA-DOC for each day that plaintiff has been unable to receive accommodation and the same religious rights provided protections as similarly situated inmates housed at the same SCI-Phoenix;
- (g). Compensatory damages against Defendant The PA-DOC for each day that plaintiff was unable to receive a reasonable religious accommodation and the same protections as similarly situated inmates housed at the same SCI-Phoenix Plaintiff is housed at;
- (h). Nominal damages;

- (i). Reasonable attorney's fees and plaintiff's costs in this suit;
- (j). Any additional relief this Court deems just, proper, and equitable.

**COUNT XVI**

**14TH AMENDMENT RELIGIOUS DISCRIMINATION & EQUAL PROTECTION**

**CLAIM AGAINST PA-DOC, LITTLE & KLEMM**

144. Paragraph 1-143 are being incorporated by reference as the same set forth fully at length herein.

145. As set forth fully in this complaint, Defendants PA-DOC, Little, Klemm through their implementation, promulgation, and/or enforcement of the PA-DOC ADM-819 Section (3) (c) policy have denied plaintiff's request and/or access for a religious accommodation for the same religious protections afforded to similarly situated inmates housed at the same institution in the form of religious headscarf and have therefore, deprived plaintiff of his protected rights ensured under The Religious Land Use and Institutionalized Person Act, The First & Fourteenth Amendments of The United States Constitution, and The Pennsylvania Constitution Article 1 Section 3.

146. This demonstrates deliberate indifference and intentional religious discrimination to the failure of their subordinates to provide religious accommodations in the form of a religious headscarf something Defendants' PA-DOC, Little, Kleem, & SCI-Phoenix approved & already provides at SCI-Phoenix to a class of similar situated inmates who are not and/or does not follow the Islamic faith and/or who are not apart of the Islamic community protections required in violation of his protected rights under the The Religious Land Use and Institutionalized Person Act, The First & Fourteenth Amendments of The United States Constitution, and The Pennsylvania Constitution Article 1 Section 3, Defendants PA-DOC is sued for damages & equitable relief, Defendants' Little, & Klemm are being sued in their individual capacity for

damages and in their official capacity for quitable relief.

**WHEREFORE**, plaintiff respectfully prays that this Court enter Judgement granting him:

- (a). A declaration by the Court that PA-DOC DC ADM-819 policy denying plaintiff access to religious a headscarf something Defendants PA-DOC already approved and provides to other religious and non-religious similarly situated classies is religious discrimination & a equal protection violation of the rights ensured under The Religious Land Use and Institutionalized Person Act, The Pennsylvania Constitution Article 1 Section 3, The First & Fourteenth Amendments of The United States Constitution;
- (b). Plaintiff is entitled to the same religious protections and accommodations provided to similarly situated inmates at SCI-Phoenix that are provided religious and non-religious reasons in the form of a religious headscarf;
- (c). Plaintiff was excluded from receving the same religious and non-religious protection afforded to similiary situated inmates in the same SCI-Phoenix Plaintiff is housed at;
- (d). An injunction ordering Defendant The PA-DOC to grant plaintiff's accommodation request in the form of a religious headscarf provided to similarly situated inmates at SCI-Phoenix that are provided and approved already;
- (e). An injunction ordering Defendant The PA-DOC from future retaliation for bring this suit and reporting the violations pursuant to The Pennsylvania Constitution Article 1 Section 3, The Religious Land Use and Institutionalized Person Act, The First & Fourteenth Amendments of The United States Constitution U.S.

constitution;

- (f). Compensatory damages against Defendant The PA-DOC for each day that plaintiff has been unable to receive accommodation and the same religious rights provided protections as similarly situated inmates housed at the same SCI-Phoenix;
- (g). Compensatory damages against Defendant The PA-DOC for each day that plaintiff was unable to receive a reasonable religious accommodation and the same protections as similarly situated inmates housed at the same SCI-Phoenix Plaintiff is housed at;
- (h). Nominal damages;
- (i). Reasonable attorney's fees and plaintiff's costs in this suit;
- (j). Any additional relief this Court deems just, proper, and equitable.

### **COUNT XVII**

#### **THE PENNSYLVANIA CONSTITUTION ARTICLE 1 SECTION 3**

#### **RELIGIOUS DISCRIMINATION & EQUAL PROTECTION**

#### **CLAIM AGAINST PA-DOC, LITTLE & KLEMM**

147. Paragraph 1-146 are being incorporated by reference as the same set forth fully at length herein.

148. As set forth fully in this complaint, Defendants PA-DOC, Little, & Klemm through their implementation, promulgation, and/or enforcement of the PA-DOC ADM-819 Section (3)(c) policy have denied plaintiff's request and/or access for a religious accommodation for the same religious protections afforded to similarly situated inmates housed at the same institution in the form of religious headscarf and have therefore, deprived plaintiff of his protected rights ensured under The Religious Land Use and Institutionalized Person Act, The

First & Fourteenth Amendments of The United States Constitution, and The Pennsylvania Constitution Article 1 Section 3.

149. This demonstrates deliberate indifference and intentional religious discrimination to the failure of their subordinates to provide religious accommodations in the form of a religious headscarf something Defendants' PA-DOC, Little, Kleem, & SCI-Phoenix approved & already provides at SCI-Phoenix to a class of similiary situtated inmates who are not and/or does not follow the Islamic faith and/or who are not aprat of the Islamic community protections required in violation of his protected rights under the The Religious Land Use and Institutionalized Person Act, The First & Fourteenth Amendments of The United States Constitution, and The Pennsylvania Constitution Article 1 Section 3, Defendants PA-DOC is sued for damages & quitable relief, Defendants' Little, & Klemm are being sued in their individual capacity for damages and in their official capacity for quitable relief.

**WHEREFORE**, plaintiff respectfully prays that this Court enter Judgement granting him:

- (a). A declaration by the Court that PA-DOC DC ADM-819 policy denying plaintiff access to religious a headscarf something Defendants PA-DOC already approved and provides to other religious and non-religious similarly situated classies is religious discrimination & a equal protection violation of the rights ensured under The Religious Land Use and Institutionalized Person Act, The Pennsylvania Constitution Article 1 Section 3, The First & Fourteenth Amendments of The United States Constitution;
- (b). Plaintiff is entitled to the same religious protections and accommodations provided to similarly situated inmates at SCI-Phoenix that are provided religious

- and non-religious reasons in the form of a religious headscarf;
- (c). Plaintiff was excluded from receiving the same religious and non-religious protection afforded to similarly situated inmates in the same SCI-Phoenix Plaintiff is housed at;
  - (d). An injunction ordering Defendant The PA-DOC to grant plaintiff's accommodation request in the form of a religious headscarf provided to similarly situated inmates at SCI-Phoenix that are provided and approved already;
  - (e). An injunction ordering Defendant The PA-DOC from future retaliation for bring this suit and reporting the violations pursuant to The Pennsylvania Constitution Article 1 Section 3, The Religious Land Use and Institutionalized Person Act, The First, & Fourteenth Amendments of The United States Constitution U.S. constitution;
  - (f). Compensatory damages against Defendant The PA-DOC for each day that plaintiff has been unable to receive accommodation and the same religious rights provided protections as similarly situated inmates housed at the same SCI-Phoenix;
  - (g). Compensatory damages against Defendant The PA-DOC for each day that plaintiff was unable to receive a reasonable religious accommodation and the same protections as similarly situated inmates housed at the same SCI-Phoenix Plaintiff is housed at;
  - (h). Nominal damages;
  - (i). Reasonable attorney's fees and plaintiff's costs in this suit
  - (j). Any additional relief this Court deems just, proper, and equitable.

**COUNT XIX**

**INJUNCTIVE RELIEF AGAINST DEFENDANT PA-DOC FOR VIOLATION OF  
SETTELEMENT AGREEMENT-FEDERAL COURT ORDER, THE RELIGIOUS LAND  
USE AND INSTITUTIONALIZED PERSON ACT, FIRST, FOURTH, FOURTEENTH  
AMENDMENTS, TITLE VI OF THE CIVIL RIGHTS ACT OF 1964 § 2000d-1 et seq , &  
THE PENNSYLVANIA CONSTITUTION ARTICLE 1 SECTION 3**

150. Paragraph 1-149 are being incorporated by reference as the same set forth fully at length herein.

151. Defendants PA-DOC receives federal funding from the United States Department of Housing & Urban Development.

152. Upon information and belief, SCI-Phoenix, in which plaintiff is incarcerated, was and is funded in part by this federal funding.

153. As set forth fully in this complaint, Defendant PA-DOC, through their implementation, promulgation, and/or enforcement of the PA-DOC policies have violated a settlement agreement-Federal Court Order which enforced the Eid Feats, denied plaintiff's religious accommodation request and/or access to blessed scented oil for unproven security reasons, denied Plaintiff's religious accommodation request for an opaque see-through showering curtain for religious privacy something the PA-DOC at SCI-Phoenix already provides to similarly situated inmates at the same institution, & denied Plaintiff religious accommodation request for a religious headscarf something the PA-DOC at SCI-Phoenix already provides to similarly situated inmates for non-religious reasons therefore, deprived plaintiff of his protected rights ensured under The Religious Land Use and Institutionalized Person Act, The Civil Rights Act of 1964, 42 U.S.C.S. § 2000d-1 et seq, The First, Fourth, & Fourteenth Amendments of The United States



Constitution, and The Pennsylvania Constitution Article 1 Section 3.

154. As set forth fully in this complaint, Defendants' PA-DOC, continues to unlawfully and intentionally fails to disavow its policy which prohibits the Eid and in violation of an Settlement Agreement-Federal Court Order, denied to grant plaintiff with reasonable religious accommodation.

155. As set forth fully in this complaint, Defendant PA-DOC, unlawfully continues to deny plaintiff free exercise of religion because of his religion subjecting plaintiff to an ongoing unconstitutional violation of the The Religious Land Use and Institutionalized Person Act, The Civil Rights Act of 1964, 42 U.S.C.S. § 2000d-1 et seq, The First, Fourth & Fourteenth Amendments of The United States Constitution, and The Pennsylvania Constitution Article 1 Section 3.

**WHEREFORE**, plaintiff respectfully prays that this Court enter Judgement granting him:


- (a). An injunction ordering Defendant The PA-DOC to disavow its policy which prohibits the Eid and in violation of a Settlement Agreement-Federal Court Order Action No. 79-3699, and the U.S. Contitution;
- (b). An injunction ordering Defendant The PA-DOC to grant plaintiff's religious accommodation request in the form blessed scented oil;
- (c). An injunction ordering Defendant The PA-DOC to grant plaintiff's religious accommodation request in the form of a see through opaque showing curtain;
- (d). An injunction ordering Defendant The PA-DOC to grant plaintiff's religious ccommodation request in the form of access to religious headscarf;
- (e). An injunction ordering Defendant The PA-DOC from future retaliation for bring

this suit and reporting the violations of The Religious Land Use and Institutionalized Person Act, The Civil Rights Act of 1964 42 U.S.C.S. § 2000d-1 et seq, The First, Fourth, Fourteenth Amendments of The United States Constitution, and The Pennsylvania Constitution Article 1 Section 3;

- (f). An injunction ordering Defendant PA-DOC from receiving federal funding until PA-DOC complies with The Religious Land Use and Institutionalized Person Act Title VI of The Civil Right Act of 1964 42 U.S.C.S. § 2000d-1;
- (g). An injunction ordering termination of PA-DOC from receiving federal funding for violations of The Religious Land Use and Institutionalized Person Act Title VI of the Civil Rights Act of 1964, 42 U.S.C.S. § 2000d-1 et seq.

I Jori Britt, hereby swear under the penalty of perjury that all facts, claims, and/or matter stated herein it true, and correct and not misleading pursuant to 18 § 4904 Executed on this

12 day of JUNE, 2023

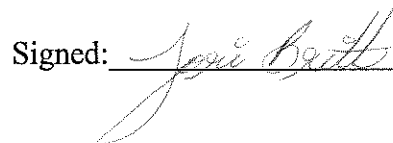
  
JORI BRITT  
Inst. No. KJ-9477  
SCI-Phoenix  
Box 244  
Collegeville, PA 19426

Respectfully Submitted,  
JORI BRITT

Date JUNE 12, 2023

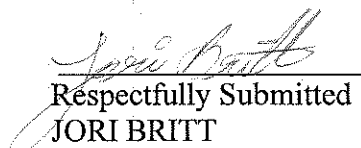
**VERIFICATION**

I Jori Britt, the undersigned, do hereby certify that all of the above statement are true and correct to the very best of my knowledge, belief and understanding, and further, that I understand this VERIFICATION, and the statement, contained herein, are made subject to the penalties of 18 Pa. Cons. Stat. Ann § 4904, relating to unsworn falsification to authorities.

Signed: 

Date: JUNE 12, 2023

Date: JUNE 12, 2023

  
Respectfully Submitted  
JORI BRITT  
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